

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

AMERICAN ASSOCIATION OF
UNIVERSITIES, *et al.*

Plaintiffs,

v.

NATIONAL SCIENCE FOUNDATION, *et al.*,

Defendants.

No. 1:25-cv-11231-IT

DECLARATION OF QUADIRA DANTRO

Pursuant to 28 U.S.C. § 1746, I, Quadira Dantro, declare as follows:

1. I am employed as Division Director, Division of Information and Award Support, National Science Foundation (NSF).
2. I have held this position since February 23, 2023.
3. In my current position, I am responsible for overseeing the development, coordination, and implementation of policies and procedures related to Federal Financial Assistance at NSF. This includes providing policy guidance, oversight, and support to stakeholders during both the pre-award and post-award phases.
4. On May 2, 2025, NSF issued NSF Policy Notice 25-034, *Implementation of Standard 15% Indirect Cost Rate*, with a May 5, 2025, effective date.
5. In a Notice to the District Court of the District of Massachusetts, filed on May 16, 2025, NSF agreed to stay implementation of NSF Policy Notice 25-034, through June 13, 2025.

6. In the same Notice, NSF also agreed to include a statement in any new awards issued during the stay that NSF is not implementing the new policy and that, if the Plaintiff's complaint is dismissed or the Court enters judgement for the Defendants, the new policy will apply from the date of the award.

7. On May 19, 2025, the District Court for the District of Massachusetts ordered that, in addition to providing notice of the stay in the issuance of any new grant awards, NSF must provide written notice of the stay by May 21, 2025, to all institutions that have pending funding applications that may be affected by the Policy Notice, and promptly notify the Court after having done so.

8. On May 19, 2025, NSF posted a revised alert on Research.gov, NSF's proposal preparation and submission portal used by all organizations for submitting proposals, management of post-award activities, and agency communications. The revised alert, in a red banner at the top of the page with a red exclamation point, states: "***UPDATE: IMPLEMENTATION PAUSED** . . ." A "See New Details" link in that banner takes the user to <https://www.nsf.gov/policies/document/indirect-cost-rate>, the page containing Policy Notice NSF 25-034. NSF put a yellow banner at the top of the notice with a black exclamation point that states: "NSF is temporarily pausing implementation of the NSF Policy Notice: Implementation of Standard 15% Indirect Cost Rate, NSF 25-034, through June 13, when a hearing is scheduled to occur in the United States District Court for the District of Massachusetts. New NSF awards issued during this pause will not implement NSF 25-034, but will include a term applying NSF 25-034 for the entirety of the award upon a court decision permitting application of the policy."

9. In addition, NSF updated its Policy Office, <https://www.nsf.gov/bfa/dias/policy>, and

Indirect Cost Rate Policies, <https://www.nsf.gov/funding/proposal-budget/indirect-costs>, web pages to communicate guidance on delayed implementation of the standard 15% IDC rate limit policy for Institutes of Higher Education (IHEs). NSF also issued a Staff Bulletin to internal staff announcing the pause of the implementation of NSF Policy Notice 25-034.

10. On May 21, 2025, NSF sent a mass distribution email to the NSF external community, including: 1) all organizations with pending proposals received to date; 2) official email addresses of all organizations with an active award; 3) all organizations that submitted a proposal to the NSF within the past seven (7) years; 4) all Principal Investigators and co-Principal Investigators on active awards; and 5) all users with financial certifier permissions activated announcing the delay in implementation of the standard 15% Indirect Cost Rate limit for IHEs. The email communication provided notice of the delayed implementation of NSF 25-034 and explained that new NSF awards issued during this pause will not implement NSF 25-034, but will include a term applying NSF 25-034 for the entirety of the award if there is a court decision permitting application of the policy.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 21st day of May 2025.

Quadira Dantro
Division Director
National Science Foundation

Digitally signed by Quadira Dantro
Date: 2025.05.21 17:26:28 -04'00'